

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SOUTHERN DIST. OF GA.

2017 FEB 24 PM 1:53

CLERK OF COURT
SOUTHERN DIST. OF GA.

UNITED STATES OF AMERICA)

v.)

CASE NO. CR415-095

STACY PAUL WADDELL,)

Defendant.)

O R D E R

Before the Court is the Government's Motion to Approve Preliminary Order of Forfeiture. (Doc. 345.) For the reasons set forth below, the Government's motion is **GRANTED**.

On June 7, 2016, a federal grand jury sitting in the Southern District of Georgia returned a six-count Fourth Superseding Indictment against Defendant Stacy Paul Waddell charging violations of 18 U.S.C. § 1343, Wire Fraud (Counts One through Four), 18 U.S.C. § 485, Possession and Sale of Counterfeit Coins (Count Five), and 18 U.S.C. § 1512(c)(1), Tampering with Documents or Proceedings (Count Six).

The Fourth Superseding Indictment gave notice to the Defendant that, upon his conviction of Counts One through Four, charging violations of 18 U.S.C. § 1343, the Defendant would forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(8), all right, title, and interest in

any real or personal property used or intended to be used to commit, facilitate, or to promote the commission of such offenses, and property constituting, derived from, or traceable to the gross proceeds obtained directly or indirectly, as a result of such offenses.

The Fourth Superseding Indictment further provided for the forfeiture of substitute assets, pursuant to 21 U.S.C § 853(p), as incorporated by 18 U.S.C. §§ 982(b)(1) and 28 U.S.C. § 2461(c), of any other property of the Defendant up to the value of the property subject to forfeiture.

Defendant was found guilty of Counts One through Six of the Fourth Superseding Indictment charging violations of 18 U.S.C. § 1343, Wire Fraud (Counts One through Four), 18 U.S.C. § 485, Possession and Sale of Counterfeit Coins (Count Five), and 18 U.S.C. § 1512(c)(1), Tampering with Documents or Proceedings (Count Six).

The Court adopted at Defendant's sentencing hearing the Presentence Investigation Report, including the conclusion that the amount of \$1,188,877.47 represents the sum of money equal to the gross proceeds traceable to Defendant's commission of Counts One through Four of the Fourth Superseding Indictment.

Federal Rule of Criminal Procedure 32.2(c)(1) provides that "no ancillary proceeding is required to the extent that the forfeiture consists of a money judgment."

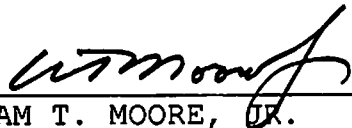
Accordingly, it is **HEREBY ORDERED, ADJUDGED, and DECREED** that:

1. Pursuant to 18 U.S.C. § 982(a)(8), the Court has determined, based on its review of the evidence presented at trial, that Defendant must forfeit to the United States the sum of \$1,188,877.47, which is the sum of money equal to the gross proceeds traceable to Defendant's commission of Counts One through Four of the Fourth Superseding Indictment.
2. Pursuant to Federal Rules of Criminal Procedure 32.2(b)(2) and Rule 32.2(b)(4), this Preliminary Order of Forfeiture shall become final in thirty days, at which time it will be included in the judgment.
3. The United States may, at any time, move pursuant to Federal Rules of Criminal Procedure 32.2(e) to amend this Order of Forfeiture to substitute property to satisfy the money judgment in whole or in part.
4. In accordance with the provisions of 21 U.S.C. § 853, as incorporated by 18 U.S.C. § 982(b)(1), and Federal Rules of Criminal Procedure 32.2(b)(3), the United States is authorized to undertake whatever discovery

is necessary to identify, locate, or dispose of property subject to forfeiture, or substitute assets for such property.

5. This Court shall retain jurisdiction for the purpose of enforcing this Order.
6. The Clerk of the Court shall forward two certified copies of this Order to Assistant U.S. Attorney Theodore S. Hertzberg, United States Attorney's Office for the Southern District of Georgia, P.O. Box 8970, Savannah, Georgia 31412.

SO ORDERED this 24th day of February 2017.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA